

PREAMBLE

Morris Township, in Knox County, Ohio, is a quiet orderly agricultural community. It is the intent of this Resolution to protect Morris Township from the exploitation and inappropriate use of its human and natural resources, to secure optimum use of land and structures.

A Resolution of the Township of Morris, County of Knox, State of Ohio, enacted in accordance with the Knox County comprehensive plan and the provisions of Chapter 519, OHIO REVISED CODE, dividing the Township into zones and districts, encouraging, regulating and restricting therein the location, construction, reconstruction, alteration and use of business, industrial, recreational, and public areas; providing for adequate light, air, and convenience of access to property by regulating the use of land and buildings and the bulk of structures in relationship to the surrounding properties; limiting congestion in public rights-of-way; providing the compatibility of different land uses and the most appropriate use of land, providing for the administration of this Resolution, defining the powers and duties of the administrative officers as provided hereafter, and prescribing penalties for the violation of the provisions in this Resolution or any amendment thereto, all for the purpose of protecting the public health, safety, comfort, general welfare and morals of the Township, and for the repeal thereof.

Nothing contained in this Resolution shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incidental to the use for agricultural purposes of the land on which such buildings or structures are located. A zoning certificate shall be required for any such use, building, or structure. Agricultural activities may be prohibited or regulated in some zoning districts. The following statement is from section 519.21 of the Ohio Revised Code: The township zoning resolution, or an amendment to such resolution, may in any platted subdivision approved under section 711.05, 711.09, or 711.10 of the Ohio Revised Code, or in any area consisting of fifteen (15) or more lots approved under section 711.131 of the Ohio Revised Code some of which are contiguous to one another, and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road regulate: 1. Agriculture on lots of one (1) acre or less, 2. Buildings or structures incident to the use of land for agricultural purposes on lots greater than one (1) acre but not greater than five (5) acres by: setback building lines; height; and size, 3. Dairying and animal and poultry husbandry on lots greater than one acre but not greater than five acres when at least thirty-five percent (35%) of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes under section 4503.06 of the Ohio Revised Code. After thirty-five percent (35%) of the lots are so developed, dairying and animal and poultry husbandry shall be considered non-conforming use of land and buildings or structures pursuant to section 519.19 of the Ohio Revised Code.

Therefore, be it resolved by the Board of Township Trustees of Morris Township, County of Knox, State of Ohio.

ARTICLE 1

HISTORY OF ZONING IN MORRIS TOWNSHIP

SECTION 1.0 PETITION

The Board of Trustees of Morris Township, Knox County, Ohio, did receive on the 7th day of November, 1961 a petition signed by a number of qualified voters residing in the unincorporated area of Morris Township, as provided in Chapter 519.03 (B) of the Revised Code of the State of Ohio, said petition requesting the adoption of a Resolution to proceed with Township zoning.

SECTION 1.1 AMENDED

Updated 1973

Updated January 1999

Updated June 2004

Updated July 2016

As submitted and revised by the Morris Township Zoning Commission, Knox County, Ohio, on the

2nd day of July, 2016

Todd K. Burns

Todd Burns, Chairman
Morris Township Zoning Commission

Paul Eberwine

Paul Eberwine, Vice-Chairman
Morris Township Zoning Commission

Robert Corcoran

Robert Corcoran
Morris Township Zoning Commission

Gary Fraley

Gary Fraley
Morris Township Zoning Commission

Robert Wise

Robert Wise
Morris Township Zoning Commission

ARTICLE 2

TITLES, AUTHORITY, SEPARABILITY, AND ENACTMENT

SECTION 2.0 TITLE

This Resolution shall take effect and be in force on November 7 1961.

SECTION 2.1 AUTHORITY

This Resolution provides for the zoning of the unincorporated area of Morris Township, Knox County, Ohio, in accordance with the authority and intent of the Revised Code of Ohio, Chapters 519.01 to 519.99, inclusive, and any amendments thereto.

SECTION 2.2 PURPOSE

This Resolution is enacted for the general purpose of promoting the public health, safety, comfort, and welfare of the residents of the Township of Morris; to protect the property rights of all individuals by assuring the compatibility of uses and practices within districts; to facilitate the provision of public utilities and public services; to lessen congestion of public streets, roads, and highways; to provide for the administration and enforcement of this Resolution, including the provision of penalties for its violation; and for any other purpose provided in the Resolution, the OHIO REVISED CODE, or under common law rulings.

SECTION 2.3 INTERPRETATION

In their interpretation and application, the provisions of this Resolution shall be held to be the minimum requirements. Whenever the requirements of this Resolution conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive or that imposing the higher standards shall govern.

SECTION 2.4 SEPARABILITY CLAUSE

Sections of this Resolution shall be deemed to be severable and should any Section, paragraph, or provision hereof be declared to be unconstitutional or invalid, such holdings shall not affect the validity of this Resolution as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 2.5 REPEAL OF CONFLICTING RESOLUTIONS

Any Resolutions or parts of Resolutions in conflict with this Zoning Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

SECTION 2.6 EFFECTIVE DATE

The Resolution shall become effective from and after the date of its approval and adoption as provided by law.

ARTICLE 3

INTERPRETATIONS AND DEFINITIONS

SECTION 3.0 INTERPRETATIONS OF WORDS AND TERMS

For the purposes of this Resolution certain words and terms shall be interpreted as follows:

1. The word “shall” is always mandatory and not discretionary. The word “may” is permissive.
2. The singular number includes the plural, the plural number includes the singular and the present tense includes the future tense.
3. The word “person” includes an individual, a trust, a corporation, a partnership, a firm, an association or any other similar entity.
4. A “building” or “structure” includes any part thereof.
5. The word “lot” includes the words “plot”, “parcel” or “tract of land.”
6. The words “used for” includes, “designed for”, “arranged for”, “intended for”, “maintained for” or “occupied for”.
7. Terms not defined herein shall have the meaning customarily given to them.
8. The word “he” refers to a person and is not gender related.

SECTION 3.1 DEFINITIONS

For the purposes of this Resolution certain words and terms are defined as follows:

ACCESSORY USE OR BUILDING: A use or building on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or building.

ADULT ENTERTAINMENT: See Section 13.15

AGRICULTURE: The use of land for agricultural purposes including farming; ranching; algaculture meaning the farming of algae; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; and the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Reference ORC 519.01.

ALLEY: Any dedicated public way not more than twenty (20) feet wide affording a secondary means of access to abutting property and not intended for general traffic circulation.

AIRPORT: Any runway land area or other facility designed or used either publicly or privately by any person for the landing and take-off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangers and other necessary buildings and open spaces.

ALTERATIONS, STRUCTURAL: Any change in supporting members of a building or structure, such as bearing walls, columns, beams, or girders.

APARTMENT: Same as “Dwelling Unit, Two-Family and Multi-Family.”

APARTMENT HOTEL: A building or portion thereof designed for or containing both individual or suites of rooms and dwellings units that may be rented daily, weekly, monthly, or yearly.

APARTMENT HOUSES: Same as “Dwelling, Two or More and Multiple Family.”

AUTOMOTIVE REPAIR: The repair, service, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.

AUTOMOTIVE, MANUFACTURED HOME, TRAVEL TRAILER, AND FARM IMPLEMENT SALE: The sale or rental of new and used motor vehicles, manufactured homes, recreation travel trailers, or farm implements, but not including repair work except incidental warranty repair of same, to be displayed and sold on the premises.

AUTOMOTIVE WRECKING: The dismantling or disassembly of motor vehicles, manufactured homes, or trailers, or the storage, sale or dumping of dismantled, or partially dismantled, obsolete or wrecked vehicles or their parts.

BASEMENT: A story all or partially below ground level but having at least one-half of its height below the average level of the adjoining ground.

BED AND BREAKFAST FACILITY: A portion of a residence where lodging and breakfast is provided by a resident family for compensation. Such a facility is generally used by transients. Bed and Breakfast facilities are considered to be home occupations. (See “Home Occupations.”)

BILLBOARD OR POSTER PANEL: Any sign or advertisement, of any material what so ever, used as an outdoor display for the purpose of making anything known, the place of availability or sale of which is remote from said display.

BOARD: Shall mean the Township Board of Zoning Appeals.

BOARDING HOUSE: A building or portion thereof, other than a hotel, where lodging and meals for five (5) or more persons are provided for compensation.

BUILDING: Any structure designed or intended to support, enclose, shelter, or protect persons, animals, chattels or property. The term “building” shall not include such structures as billboards, fences, radio towers or structures with interior areas not normally accessible for human habitation, such as tanks, smokestack, grain elevators, coal bunkers, oil cracking towers, or similar structures.

BUILDING HEIGHT: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line for mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

BUILDING LINE: Same as “setback line.”

BUILDING, MAIN OR PRINCIPAL: A building in which is conducted the main or principal use of the lot which said building is situated.

BUILDING, PUBLIC OR COMMUNITY: A building for social, educational, recreational and administrative activities of a neighborhood or community, provided any such use is not operated for commercial gain.

BUSINESS: An office or shop engaged in the day-to-day sale of commodities and services to a local area or region, the sales being of retail character, either direct over-the-counter, by mail, by telephone or by contract.

CAMP GROUND: Same as “Tourist Camp”.

CAMP, TOURIST: Same as “Tourist Camp”.

CELLAR: Same as “Basement”.

CERTIFICATE OF OCCUPANCY: A document issued by the Zoning Inspector certifying that the proposed use of a newly erected, changed, converted or altered building, for which the certificate is issued, conforms to the requirements of this Resolution.

CHANNEL: A natural or artificial watercourse with evident and distinct bed and banks to confine and conduct continuously or periodically flowing water.

CLINIC, MEDICAL: A place providing physical or mental health service and medical or surgical care of the sick, ailing, infirm or injured but providing no inpatient or over-night accommodations. “Medical Clinic” includes “Health Center”, “Health Clinic” and “Doctor’s Office”.

CLUB: A building or portion thereof privately owned or operated for a social, literary, political, educational, or recreational purpose primarily for the exclusive use of its members and their guests.

COMMISSION: Shall mean the Township Zoning Commission.

CONDITIONAL USE: A use permitted within a District other than a principally permitted use, requiring a “Conditional Use Permit” and approval of the Board of Zoning Appeals. Conditional uses permitted in each District are listed in the official schedule of District regulations.

CONDITIONAL USE PERMIT: A permit issued by the Zoning Inspector upon approval, by the Board of Zoning Appeals, of an application for a use other than a principally permitted use allowed within the District.

COURT: An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two (2) or more sides by such building or buildings.

COURT, INNER: A court bounded on all sides by a building or group of buildings. The length of an inner court is the minimum horizontal dimension measured parallel to its longest side. The width of an inner court is the minimum horizontal dimension measured at right angles to its length.

COURT, OUTER: A court that opens onto a required yard, or street or alley. The width of an outer court is the minimum horizontal dimension measured in the same general direction as the yard, street or alley upon which the court opens. The depth of an outer court is the minimum horizontal dimension measured at right angles to the width.

CURB GRADE: The elevation of the established curb in front of the building measured at the center of such front. Where no curb grade has been established, the County Engineer shall establish such curb grade or its equivalent for the purpose of this Resolution.

DAYS – any reference to day(s) refers to calendar days.

DISTRICT: A portion of the unincorporated area of the Township within which certain regulations and requirements, or various combinations thereof apply under the provisions of this Resolution.

DWELLING UNIT: Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one (1) family and its household employees.

DWELLING, SINGLE FAMILY: A dwelling consisting of a single unit only, separated from other dwellings by open space.

DWELLING, TWO-FAMILY: A dwelling consisting of two (2) units which may be either attached side by side or one above the other, with each unit having a separate or combined entrance or entrances.

DWELLING, MULTI-FAMILY: A dwelling consisting of three (3) or more dwelling units, including condominiums, with varying arrangement of entrances and party walls.

DWELLING, ROW: Same as “Row House”.

DWELLING, INDUSTRIALIZED UNIT: An assembly of materials or product comprising all or part of a total structure which, when constructed, is self-sufficient or substantially self-sufficient and when installed, constitutes a dwelling unit, except for necessary preparations for its placement, and including preparations for its placement, and including a manufactured home.

EASEMENT: Authorization by a property owner for the use by another for a specified purpose and applicable to any designated part of the owners property.

ELDERLY HOUSEHOLD: Not more than three (3) persons, related or unrelated, who occupy a single dwelling unit, of whom one person is elderly.

ELDERLY HOUSING FACILITY: A building or buildings containing twelve (12) or more dwelling units where occupancy is restricted to elderly persons or households. Such facilities may include emergency first aid care, day care, therapy, personal care, nursing facilities, recreational facilities, and provide for independent or semi-independent living. For the purposes of this definition, “elderly housing facility” shall not include convalescent homes, nursing homes, group residential facilities, or homes for the aged.

ELDERLY PERSON: Any person who is 62 years of age or older, or any person under 62 years of age who is handicapped such that his physical impairments are of a long-term duration and impede his ability to live independently without a suitable housing environment.

ESSENTIAL SERVICES: The erection, construction, alteration or maintenance, by public utilities or government agencies, of underground gas, electrical or water transmission or distribution systems, and of collection, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes, hydrants or other similar equipment and accessories, exclusive of buildings, reasonably necessary in connection with the furnishing of adequate service by such public utility or government agency for the public health, safety and welfare.

FACILITIES OF AN EDUCATIONAL, RELIGIOUS, CHARITABLE, PHILANTHROPIC OR NONPROFIT NATURE: “Facilities of an educational, religious, charitable, philanthropic or nonprofit nature” under this ordinance shall not include any buildings used for imprisonment or rehabilitation, including but not limited to any prison, jail, workhouse, penal institution, reformatory, correctional institution, penitentiary, juvenile detention home, juvenile community rehabilitation center, any facility created under Chapter 341, Sections 2151.65, Sections 753.02 et seq., of the OHIO REVISED CODE or any similar facility.

FAMILY: Two (2) or more persons related by blood, marriage, adoption, or living together as a single housekeeping unit; or a group of not more than six (6) persons, who need not be related by blood, marriage, or adoption, living together as a single housekeeping unit.

FARM: A parcel of land, five (5) qualifying acres or more in area, devoted to agricultural purposes from which a gross income of two thousand (\$2,000) dollars or more is attained annually.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA): The agency with the overall responsibility for administering the National Flood Insurance Program.

FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from:

- The overflow of inland or tidal waters, and/or
- The unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD, BASE: The flood having a one (1%) percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 100-year flood.

FLOOD INSURANCE RATE MAP (FIRM): An official map on which the Federal Emergency Management Agency had delineated the areas of special flood hazard.

FLOOD INSURANCE STUDY: The official report in which the Federal Emergency Management Agency has provided flood profiles, floodway boundaries, and the water surface elevations of the base.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

FLOOR AREA, BUSINESS AND MANUFACTURING: For the purpose of computing the minimum allowable floor area in business and manufacturing structures, the sum of the horizontal areas of each floor of the building shall be measured from the exterior walls. The floor area measurement is exclusive of the areas of basements, unfinished attics, breezeways, and enclosed or unenclosed porches.

FLOOR AREA, RESIDENTIAL: For the purpose of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each floor of the building shall be measured from the interior faces of the exterior walls. The floor area measurement is exclusive of the areas of basements, unfinished attics, attached garages, breezeways, and enclosed or unenclosed porches.

FRONTAGE: The length of the front boundary line of a lot or parcel that abuts on a street or road.

GARAGE, PRIVATE: A detached accessory building or portion, of a main building for the parking or temporary storage of automobiles of the occupants of the premises, and wherein (a) not more than one (1) space is rented for parking to persons not resident on the premises; (b) not more than one (1) commercial vehicle per dwelling unit is parked or stored; and (c) the commercial vehicles permitted do not exceed five (5) tons capacity.

GARAGE, PUBLIC: A building other than a private garage used for the care, repair, or equipment of motor vehicles, or where such vehicles are parked or stored for remuneration, hire or sale.

GOVERNMENTAL BUILDINGS: Buildings owned or operated by federal, state or local governments or departments and/or subdivisions thereof, which buildings are used for administrative, ministerial, public service, safety, health, public utility or recreational purposes. "Governmental buildings" under this ordinance shall not include any buildings used for imprisonment or rehabilitation, including but not limited to any prison, jail, workhouse, penal institution, reformatory, correctional institution, penitentiary, juvenile detention home, juvenile community rehabilitation center, any facility created under Chapter 341, Sections 2151.65, Sections 753.02 et seq., or Sections 5145.01 et seq. of the OHIO REVISED CODE, or any similar facility.

GUEST HOUSE: Living quarters within a detached accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises; such quarters not rented or otherwise used as a separate dwelling.

HOME OCCUPATION: An accessory use which is an activity, profession, service, craft or revenue-enhancing hobby which is clearly incidental and subordinate to the use of the premises as a dwelling, by conditional use permit, without any significant adverse effect upon the surrounding neighborhood. Activities such as teaching, tutoring, babysitting, tax consulting and the like shall involve not more than three (3) receivers of such services at any one time. Home occupations are subject to a conditional use permit. See Section 13.8.

HOTEL: A building or portion thereof designed for or intended to be used for providing, for compensation, lodging for ten (10) or more transient wayfarers.

INSPECTOR: Shall mean the Zoning Inspector of Morris Township.

INSTITUTION: Building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitative counseling, or other correctional services. "Institution" under this ordinance shall not include any buildings used for imprisonment or rehabilitation, including but not limited to any prison, jail, workhouse, penal institution, reformatory, correctional institution, penitentiary, juvenile detention home, juvenile community rehabilitation center, any facility created under Chapter 341, Sections 2151.65, Sections 753.02 et seq., or Sections 5145.01 et seq. of the OHIO REVISED CODE, or any similar facility.

INSTITUTIONAL HOME: A place for the care of babies, children, pensioners, or elderly people, except those for correctional or mental care.

JUNK: Any garbage, refuse or other debris that constitutes a nuisance. This includes, but is not limited to: old or scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, iron, steel, and other old or scrap ferrous or nonferrous materials, as well as any worn-out, cast-off or discarded article that is ready for destruction or has been collected or stored for salvage or conversion to some other use. Any article or material that, unaltered or unchanged and without further rezoning, can be used for its original purpose as readily as when new shall not be considered junk. Cross reference ORC 505.87 and ORC 4737.05 (A).

JUNK MOTOR VEHICLE: A motor vehicle that meets all of the following criteria:

- A. Three model years old or older;
- B. Apparently inoperable;
- C. Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine or transmission.

Cross reference ORC 505.173(E)

JUNK YARD: A place, structure or lot where junk, waste, discarded, salvaged or similar materials such as old iron or other metals, wood, liquid waste, timber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, etc. are bought, sold, exchanged, baled, disassembled, or handled, including auto wrecking yards, used lumber yards, house wrecking yards, and places or yards for use in the accumulation of salvaged house wrecking and structural steel materials and equipment including recycling yards, collection centers and processing centers related to recycling.

KENNEL: Any lot or premises on which four (4) or more dogs more than four (4) months of age are housed, groomed, bred, boarded, trained, or sold.

LIVESTOCK – Domestic animals, such as cattle or horses, raised for home use or for profit, especially on a farm.

LOADING SPACE: An off-street space, on the same lot with a building or group of buildings, for the temporary parking of a commercial-type vehicle with loading and unloading merchandise or material.

LOT: A parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are required in this Resolution. Such lot shall abut upon and have permanent access to a public street or highway or an approved private street.

LOT AREA: The total horizontal area within the lot lines of the lot.

LOT, CORNER: A lot that has at least two (2) contiguous sides, each abutting on a street or road.

LOT, OCCUPANCY OR COVERAGE: The part or percentage of the lot area occupied by buildings including accessory structures.

LOT DEPTHS: The horizontal distance between the front and rear lot lines measured along the median between the side lot lines.

LOT, INTERIOR: A lot other than a corner lot.

LOT LINES: The lines abounding a lot as defined herewith:

1. Front Lot Line: That line separating the lot from the street or road right-of-way. In the case of a corner or through lot, the lines separating the lot from each street or road right-of-way.
2. Rear Lot Line: A lot line that is opposite the front lot line. In the case of a corner lot, the rear lot line shall be opposite either front lot line, but there shall be only one (1) rear lot line. In the case of a lot pointed at the rear, the rear lot lines shall be perceived to be a line, not less than twenty (20) feet long, lying parallel to and farthest from the front lot line and wholly within the lot.
3. Side Lot Line: Any lot line, not a front lot line nor a rear lot line.

LOT, THROUGH: An interior lot having frontage on two (2) streets or roads that are parallel or non-intersecting near-by.

LOT OF RECORD: A lot that is part of a subdivision recorded in the office of the County Recorder or a lot described by metes and bounds, the description of which has been so recorded.

LOT, REVERSED FRONTAGE: A lot on which frontage is essentially at right angles to the general pattern in the area. A reversed frontage lot also may be a corner lot.

LOT, WIDTH: The distance between straight lines connecting front and rear lot lines at each side of the lot, measured parallel to the front lot line at the minimum building setback line.

MANUFACTURED HOME: Means a building unit or assembly of closed construction that is fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary, Housing and Urban Development Department (HUD), pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," and bearing a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards. "Manufactured Home" shall not have the same meaning as an industrialized unit.

MOBILE HOME: A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than 35 body feet in length or, when erected on site, is 320 or more square feet, is built on a permanent chassis, is transportable in one or more sections. A mobile home shall not have the same meaning as an industrialized unit or manufactured home (ORC 4501.01 (O)).

MOBILE HOME PARK: Any site or tract of land under private ownership, upon which two (2) or more mobile homes used for human habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, or enclosure used or intended for use as a part of the facilities of such park.

MOTEL OR MOTOR HOTEL: A group of attached, semi-attached or detached sleeping or living units for the accommodation of transient motorists, each unit having convenient access to off-street parking spaces for the exclusive use of the guests or occupants.

MOTOR HOME OR TRAVEL TRAILER (RECREATIONAL VEHICLE): Any self-propelled or non-self-propelled vehicle so designed, constructed, re-constructed, or added to in such manner as will permit the use thereof for human habitation whether or not connected to utilities, whether or not resting on wheels, jacks, or other temporary foundation, and used, or so constructed as to permit its use, as a conveyance upon the public streets or roads.

NONCONFORMITIES: Lots, uses of land, structures, and uses of structures and land in combination lawfully existing at the time of enactment of this Resolution or its amendments which do not conform to the regulations of the district or zone in which they are situated, and are therefore incompatible.

NUISANCE FACTOR: An unpleasant, offensive, or obnoxious thing or practice contributing to an annoyance, especially a continuous or repetitive invasion, across property lines, of people or things such as noise, dust, smoke, heat, odor, glare, fumes, flashes, vermin, vibration shock wave, electronic or atomic radiation, objectionable effluent, pedestrian traffic or vehicular traffic.

NURSERY, NURSING HOME: A home or facility for the care and treatment of babies, children, pensioners, or elderly people.

NURSERY, PLANT MATERIALS: Land, building, structure, or combination thereof for the storage, cultivation, propagation, and/or transplanting of live trees, shrubs, or plants offered for retail sale on the premises including products used for gardening or landscaping.

OCCUPANT: A tenant or owner who, on a temporary or permanent basis, occupies space or a dwelling unit in a building or structure or holds land for tillage or other farming purposes.

OPEN SPACE: An area, which may be on the same lot with a building, substantially open to the sky. The area may include natural environmental features and recreational facilities but does not include highways, structures and the like.

OVERLAY DISTRICT: A district described by the zoning map within which, through superimposition of a special designation, furthermore regulations and requirements apply in addition to those of the underlying districts.

PARKING SPACE, OFF-STREET: For the purpose of this Resolution, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any road, street or alley right-of-way.

PARKING AREA, PRIVATE: An open area, other than a road, street or alley, used for the parking of automobiles and available for either public or quasi-public use.

PARKING AREA, PUBLIC: An area, other than a private parking area, road, street or alley, used for the parking of automobiles and available for either public or quasi-public use.

PERFORMANCE BOND OR SURETY BOND: An agreement by a sub divider or developer with the Township for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the agreement.

PERSONAL SERVICES: Any enterprise conducted for gain that primarily offers services to the general public such as shoe repair, watch repair, barbershops, beauty parlors, and similar activities.

PLANNED UNIT DEVELOPMENT (PUD): An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles, and landscaping plans.

PROFESSIONAL ACTIVITIES: The use of offices and related spaces for such professional services as are provided by medical practitioners, lawyers, architects, and engineers, and similar professions.

PUBLIC SERVICE FACILITY: The erection, construction, alteration, operation, or maintenance of buildings, power plants, substations, water treatment plants, pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services.

PUBLIC USES: Public parks, schools, administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

PUBLIC UTILITY: A public or private organization, such as a public service corporation, duly authorized to supply such commodities as gas, electricity, communications, water supply, sewerage, waste disposal and the like.

PUBLIC WAY: An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, bicycle path, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

QUASI-PUBLIC USE: Churches, Sunday Schools, parochial schools, colleges, hospitals, and other facilities of an educational, religious, charitable, philanthropic, or non-profit nature.

RECREATION CAMP: An area of land on which two or more travel trailers, campers, tents, or other similar temporary recreational structures are regularly accommodated with or without charge, including any building, structure or fixture of equipment that is used or intended to be used in connection with providing such accommodations.

RECREATION FACILITIES: Public or private facilities that may be classified as either “extensive” or “intensive” depending upon the scope of services offered and the extent of use. Extensive facilities generally require and utilize considerable areas of land and include, but need not be limited to, hunting, fishing, and riding clubs and parks. Intensive facilities generally require less land (used more intensively) and include, but need not be limited to, miniature golf courses, amusement parks, stadiums, and bowling alleys.

RECREATION VEHICLE (RV): A self-propelled vehicle designed, constructed or added to by means of accessories, in such manner as will permit use and occupancy thereof for human transportation and human habitation, by utilizing either connected or self-contained utilities, and used, primarily for short-term or seasonal excursions for recreation.

RESEARCH ACTIVITIES: Research, testing, and related facilities including operation of prototype, pilot plant or semi-works processes which are no larger than normal version of process, exposure of product to weather and all other tests relating to code and other product performance requirements and fabrication or assembly operations which process materials or equipment for market development and other uses, provided that such operations shall be conducted within a building or be visually screened or located more than two hundred (200) feet from adjacent property lines, and provided further, that the same do not violate the provisions of Sections 10.16 through 10.24, inclusive.

RIGHT-OF-WAY: A strip of land, taken or dedicated for use as a public way. In addition to the street or roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, berm and drainage facilities, and may include land for special features (required by topography or highway design) such as grade separations, landscaped areas, viaducts, and bridges.

ROADSIDE STAND: A temporary structure designed or used for the display or sale of agricultural and related products, and/or any other items.

ROW HOUSE: A dwelling consisting of three (3) or more dwelling units attached side-by-side with party walls and separate entrances.

SETBACK LINE: A line established by the Zoning Resolution, or other legal means, generally parallel with and related (in feet) to the front lot line, defining the limits of a yard in which no building or structure may be located above ground. The front setback line is sixty (60) feet from the edge of the street or road.

SIGN: A publicly displayed devise or notice, visible from any public road or street, designed to attract the attention of persons either on or off the premises where such sign is located, and to provide information on a business, product, profession, commodity, activity, or service sold or offered on the premises:

1. Sign, Area of: The total area of exposed exterior surfaces in square feet.
2. Sign, Ground: A sign supported by one (1) or more poles, uprights, or braces in or upon the ground.
3. Sign, Illuminated: Any sign illuminated by electricity, gas, or artificial light including reflecting or phosphorescent light.
4. Sign, Portable: A sign that is not permanently affixed and can be moved from one location to another.
5. Sign, Projecting: A sign, other than a wall sign, which projects from a building.
6. Sign, Roof: A sign erected, constructed, supported and maintained on or above the roof.
7. Sign, Temporary: A sign in which characters, letters, illustrations or ornamentations are applied to cloth, paper, fabric, or fibrous material of any kind, with or without a frame.
8. Sign, Wall: A sign attached directly to the wall of a building and extending twelve (12) inches or less from the wall, including window signs.

STORY: That part of a building between the surface of a floor and the ceiling next above it.

STORY, HALF: An uppermost story, lying under a sloping roof, having an area of at least two hundred (200) square feet with a clear height of seven and a half (7 1/2). For purposes of this Resolution, the usable floor area is only that area having at least seven and a half (7 1/2) feet clear height between floor and ceiling.

STREET: See "Thoroughfare, Road, Street or Alley".

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground. Among other things, the term "structure" includes buildings, Sectional homes, walls, fences, and billboards.

SWIMMING POOL: A private swimming pool, as regulated herein, shall be any pool, pond, lake or open tank, not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than one and one-half (1 1/2) feet.

TEMPORARY USE OF BUILDING: A building or use permitted by the Board of Appeals or the Zoning Inspector, to exist during the period of construction of the main building or use, or for special events.

THOROUGHFARE, ROAD, STREET, OR ALLEY: The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

1. Alley: A minor street used primarily for vehicular service access to the back of side of properties abutting on another street.
2. Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.
3. Collector Street: A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets, including the principal entrance and circulation routes within residential subdivisions.
4. Cul-de-Sac: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
5. Dead-End Street: A street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.
6. Local Street: A street primarily for providing access to residential or other abutting property.
7. Loop Street: A type of local street, each end of which terminated at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred eighty (180) degree system of turns are not more than one thousand (1,000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
8. Marginal Access Road: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets (also called frontage street).

TOURIST CAMP: Land used or intended to be used by campers or for trailers, tents or moveable sleeping or living units. Two (2) or more trailers, whether parked or supported on foundations, shall constitute a tourist camp.

TOURIST COURT: A group of attached or detached sleeping or living units containing less than three hundred (300) square feet floor area for each unit and which are provided for transient guest, the term "Tourist Court" includes auto courts, motels and motor lodges.

TOURIST HOME: A building in which board or rooming, or both are offered to the traveling public for compensation, and in contradistinction to a hotel, boarding or rooming house.

TRAILER: A non-self-propelled vehicle, on wheels, designed to be used or so constructed as to permit its use, when drawn by an automobile or truck, for conveying living facilities, equipment, construction materials, and other commodities, on public roads and streets. The term "trailer" includes trailer coach, house trailer, truck trailer, and semi-trailer.

USE: The specific purpose for which land or a building is arranged, designated or intended, of for which land or a building is, or may be, occupied or maintained.

VARIANCE: A modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, actual enforcement of the resolution would result in unnecessary and undue hardship. Such "Variance" may be authorized by the Board of Zoning Appeals, upon appeal, in specific cases. As used in this Resolution, a variance is authorized only for height, area and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the Zoning District or uses in an adjoining Zoning District.

VETERINARY ANIMAL HOSPITAL OR CLINIC: A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

VICINITY MAP: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.

WALKWAY: A public way, four feet (4) or more in width, for pedestrian use only, whether along the side of a road or not.

YARD: A required open space, other than a court, unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot provided accessories, ornaments, and furniture that may be permitted in any yard are subject to height limitations and requirements limiting obstruction of visibility.

YARD, FRONT: A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.

YARD, REAR: A yard extending between lot sidelines across the rear of a lot and from the rear lot line to the rear of the principal building.

YARD, SIDE: A yard extending from the principal building to the side lot lines on both sides of the principal building and between the lines establishing the front and rear yards.

ZONING MAP: A map of Morris Township on which the boundaries of each Zoning District are delineated. This map is entitled "Morris Township Zoning Plan," and is on file at the office of the Morris Township Zoning Inspector and at the Morris Township House.

ZONING PERMIT: A document issued by the Zoning Inspector authorizing uses of land and structures and the characteristics of the uses as proposed by the applicant.